

1 AMENDMENT TO HOUSE BILL 3021

2 AMENDMENT NO. _____. Amend House Bill 3021 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 changing Section 4-2 as follows:

6 (305 ILCS 5/4-2) (from Ch. 23, par. 4-2)

7 Sec. 4-2. Amount of aid.

8 (a) The amount and nature of financial aid shall be
9 determined in accordance with the grant amounts, rules and
10 regulations of the Illinois Department. Due regard shall be
11 given to the self-sufficiency requirements of the family and
12 to the income, money contributions and other support and
13 resources available, from whatever source. However, the
14 amount and nature of any financial aid is not affected by the
15 payment of any grant under the "Senior Citizens and Disabled
16 Persons Property Tax Relief and Pharmaceutical Assistance
17 Act" or any distributions or items of income described under
18 subparagraph (X) of paragraph (2) of subsection (a) of
19 Section 203 of the Illinois Income Tax Act. The aid shall be
20 sufficient, when added to all other income, money
21 contributions and support to provide the family with a grant
22 in the amount established by Department regulation.

1 (b) The Illinois Department may conduct special
2 projects, which may be known as Grant Diversion Projects,
3 under which recipients of financial aid under this Article
4 are placed in jobs and their grants are diverted to the
5 employer who in turn makes payments to the recipients in the
6 form of salary or other employment benefits. The Illinois
7 Department shall by rule specify the terms and conditions of
8 such Grant Diversion Projects. Such projects shall take into
9 consideration and be coordinated with the programs
10 administered under the Illinois Emergency Employment
11 Development Act.

12 (c) The amount and nature of the financial aid for a
13 child requiring care outside his own home shall be determined
14 in accordance with the rules and regulations of the Illinois
15 Department, with due regard to the needs and requirements of
16 the child in the foster home or institution in which he has
17 been placed.

18 (d) If the Department establishes grants for family
19 units consisting exclusively of a pregnant woman with no
20 dependent child or including her husband if living with her,
21 the grant amount for such a unit shall be equal to the grant
22 amount for an assistance unit consisting of one adult, or 2
23 persons if the husband is included. Other than as herein
24 described, an unborn child shall not be counted in
25 determining the size of an assistance unit or for calculating
26 grants.

27 Payments for basic maintenance requirements of a child or
28 children and the relative with whom the child or children are
29 living shall be prescribed, by rule, by the Illinois
30 Department.

31 Grants under this Article shall not be supplemented by
32 General Assistance provided under Article VI.

33 (e) Grants shall be paid to the parent or other person
34 with whom the child or children are living, except for such

1 amount as is paid in behalf of the child or his parent or
2 other relative to other persons or agencies pursuant to this
3 Code or the rules and regulations of the Illinois Department.

4 (f) (Blank). An assistance unit, receiving financial aid
5 under this Article or temporarily ineligible to receive aid
6 under this Article under a penalty imposed by the Illinois
7 Department for failure to comply with the eligibility
8 requirements or that voluntarily requests termination of
9 financial assistance under this Article and becomes
10 subsequently eligible for assistance within 9 months, shall
11 not receive any increase in the amount of aid solely on
12 account of the birth of a child; except that an increase is
13 not prohibited when the birth is (i) of a child of a pregnant
14 woman who became eligible for aid under this Article during
15 the pregnancy, or (ii) of a child born within 10 months after
16 the date of implementation of this subsection, or (iii) of a
17 child conceived after a family became ineligible for
18 assistance due to income or marriage and at least 3 months of
19 ineligibility expired before any reapplication for
20 assistance. This subsection does not, however, prevent a
21 unit from receiving a general increase in the amount of aid
22 that is provided to all recipients of aid under this Article.

23 The Illinois Department is authorized to transfer funds,
24 and shall use any budgetary savings attributable to not
25 increasing the grants due to the births of additional
26 children, to supplement existing funding for employment and
27 training services for recipients of aid under this Article
28 IV. The Illinois Department shall target, to the extent the
29 supplemental funding allows, employment and training services
30 to the families who do not receive a grant increase after the
31 birth of a child. In addition, the Illinois Department shall
32 provide, to the extent the supplemental funding allows, such
33 families with up to 24 months of transitional child care
34 pursuant to Illinois Department rules. All remaining

1 supplemental--funds--shall--be--used--for--employment--and--training
2 services--or--transitional--child--care--support.

3 In--making--the--transfers--authorized--by--this--subsection,
4 the--Illinois--Department--shall--first--determine,
5 pursuant--to
6 regulations--adopted--by--the--Illinois--Department--for--this
7 purpose,
8 the--amount--of--savings--attributable--to--not--increasing
9 the--grants--due--to--the--births--of--additional--children.
10 Transfers--may--be--made--from--General--Revenue--Fund
11 appropriations--for--distributive--purposes--authorized--by
12 Article--IV--of--this--Code--only--to--General--Revenue--Fund
13 appropriations--for--employability--development--services
14 including--operating--and--administrative--costs--and--related
15 distributive--purposes--under--Article--IXA--of--this--Code.
16 The
17 Director,
18 with--the--approval--of--the--Governor,
19 shall--certify
20 the--amount--and--affected--line--item--appropriations--to--the--State
21 Comptroller.

22 Nothing--in--this--subsection--shall--be--construed--to--prohibit
23 the--Illinois--Department--from--using--funds--under--this--Article
24 IV--to--provide--assistance--in--the--form--of--vouchers--that--may--be
25 used--to--pay--for--goods--and--services--deemed--by--the--Illinois
26 Department,
27 by--rule,
28 as--suitable--for--the--care--of--the--child
29 such--as--diapers,
30 clothing,
31 school--supplies,
32 and--cribs.

33 (g) (Blank).

34 (h) Notwithstanding any other provision of this Code,
the Illinois Department is authorized to reduce payment
levels used to determine cash grants under this Article after
December 31 of any fiscal year if the Illinois Department
determines that the caseload upon which the appropriations
for the current fiscal year are based have increased by more
than 5% and the appropriation is not sufficient to ensure
that cash benefits under this Article do not exceed the
amounts appropriated for those cash benefits. Reductions in
payment levels may be accomplished by emergency rule under
Section 5-45 of the Illinois Administrative Procedure Act,

1 except that the limitation on the number of emergency rules
2 that may be adopted in a 24-month period shall not apply and
3 the provisions of Sections 5-115 and 5-125 of the Illinois
4 Administrative Procedure Act shall not apply. Increases in
5 payment levels shall be accomplished only in accordance with
6 Section 5-40 of the Illinois Administrative Procedure Act.
7 Before any rule to increase payment levels promulgated under
8 this Section shall become effective, a joint resolution
9 approving the rule must be adopted by a roll call vote by a
10 majority of the members elected to each chamber of the
11 General Assembly.

12 (Source: P.A. 91-676, eff. 12-23-99; 92-111, eff. 1-1-02.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."